

4.b. Early and periodic screening, diagnosis, and treatment services:
(continued)

~~Family Preservation Act, or the Minnesota Indian Family Preservation Act, except:~~

~~1) up to 60 hours of day treatment services within a six-month period provided concurrently with therapeutic support of foster care to a child with severe emotional disturbance are eligible for medical assistance payment without prior authorization if the child is:~~

~~a) being phased out of day treatment services and phased into therapeutic support of foster care, or~~

~~b) being phased out of therapeutic support of foster care and day treatment services are identified within the goals of the child's individual treatment plan.~~

~~Prior authorization may be requested for additional hours of day treatment beyond the 60-hour limit;~~

~~2) if the mental health professional providing the child's therapeutic support of foster care anticipates the child or the child's family will need outpatient psychotherapy services upon completion of the therapeutic support of foster care, then one session of individual psychotherapy per month for the child or one session of family psychotherapy per month for the child's family is eligible for medical assistance payment during the period the child receives therapeutic support of foster care.~~

~~For purposes of the child's transition to outpatient psychotherapy, the child may receive two additional psychotherapy visits per six-month episode of therapeutic support of foster care if the mental health professional providing the therapeutic support of foster care works with the provider of outpatient psychotherapy to facilitate the child's transition from therapeutic support of foster care to outpatient psychotherapy services and to coordinate the child's mental health services.~~

~~J. Services provided to the foster family that are not directed exclusively to the treatment of the recipient.~~

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1. Children's therapeutic services and supports for children is a flexible package of mental health services for children requiring varying therapeutic and rehabilitative levels of intervention provided by mental health professionals and mental health practitioners under the clinical supervision of mental health professionals. The services are time-limited interventions that are delivered using various treatment modalities and combinations of services designed to realize treatment outcomes identified in a recipient's individual treatment plan. For the purposes of item 4.b., a child eligible for therapeutic services and supports means a child under age 18 who has been determined, using a diagnostic assessment, to have emotional disturbance (or, if between ages 18 and 21, to have a mental illness).

A diagnostic assessment by a mental health professional must have determined that the child is in need of children's therapeutic services and supports to address an identified disability and functional impairment.

The following are eligible to provide children's therapeutic services and supports:

- A. An entity certified by the Department and operated by a county.
- B. An noncounty entity certified by the Department based on the recommendation by the host county.
- C. A facility of the Indian Health Service or a facility owned or operated by a tribe or tribal organization and funded by either Title I of the Indian Self-Determination and Education Assistance Act, P.L. 93-638, as amended, or Title V of the Indian Self-Determination and Education Assistance Act, P.L. 106-260, operating as a 638 facility. A facility of the Indian Health Service or a 638 facility must be certified by the Department.

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Provider Qualifications and Training

- A. A mental health professional is an individual defined in item 6.d.A. (except that for purposes of this item, it does not include a registered nurse certified as a nurse practitioner) or an individual credentialed as a health professional under the standards set by the governing body of a federally recognized Indian tribe who provides services to recipients through an IHS or 638 facility.
- B. A mental health practitioner working under the direction of a mental health professional:
- 1) holds a bachelor's degree in one of the behavior sciences or related fields from an accredited college or university and:
 - a) has at least 2,000 hours of supervised experience in the delivery of mental health services to children with emotional disturbances; or
 - b) is fluent in the non-English language of the ethnic group to which at least 50 percent of the practitioner's clients belong, completes 40 hours of training in the delivery of services to children with emotional disturbances, and receives clinical supervision from a mental health professional at least once a week until the requirement of 2,000 hours of supervised experience is met;
 - 2) has at least 6,000 hours of supervised experience in the delivery of mental health services to children with emotional disturbances;
 - 3) is a graduate student in one of the behavioral sciences or related fields and is formally assigned by an accredited college or university to an agency or facility for clinical training; or

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- 4) holds a master's or other graduate degree in one of the behavioral sciences or related fields from an accredited college or university and has less than 4,000 hours of post-master's experience in the treatment of emotional disturbance; and
- 5) must have 20 hours of continuing education every two calendar years. Topics covered are those identified in item C, subitem 1), clause c), subclause 1), below.

C. A mental health behavioral aide, a paraprofessional who is not the legal guardian or foster parent of the child, working under the direction of a mental health professional or a mental health practitioner under the clinical supervision of a mental health professional.

- 1) a Level I mental health behavioral aide must:
 - a) be at least 18 years of age;
 - b) have a high school diploma or general equivalency diploma (GED) or two years of experience as a primary caregiver to a child with severe emotional disturbance within the previous ten years; and
 - c) meet the following orientation and training requirements:
 - 1) 30 hours of preservice training covering Minnesota's data privacy law; the provisions of Minnesota's Comprehensive Children's Mental Health Act, the different diagnostic classifications of emotional disturbance; the use of psychotropic medications in children and the potential side effects; the core values and principles of the Child Adolescent Service System Program; how to coordinate services between the public education system and the mental health system; how to provide culturally appropriate services; and how to provide services to children with developmental disabilities or other special needs.

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Fifteen hours must be face-to-face training in mental health services delivery and eight hours must be parent team training, which includes partnering with parents; fundamentals of family support; fundamentals of policy and decision-making; defining equal partnership; complexities of parent and service provider partnership in multiple service delivery systems; sibling impacts; support networks; and community resources; and

- 2) 20 hours of continuing education every two calendar years. Topics covered are those identified in subclause 1), above.

2) a Level II mental health behavioral aide must:

- a) be at least 18 years of age;
- b) have an associate or bachelor's degree or 4,000 hours of experience delivering clinical services in the treatment of mental illness concerning children or adolescents; and
- c) meet the preservice and continuing education requirements as a Level I mental health behavioral aide.

D. A preschool multidisciplinary team that includes at least one mental health professional and one or more of the following individuals under the clinical supervision of a mental health professional:

- 1) a mental health practitioner; or
- 2) a program person, including a teacher, assistant teacher, or aide, who meets the qualifications and training standards of a Level I mental health behavioral aide; or

E. A day treatment multidisciplinary team that includes at least one mental health professional and one mental health practitioner.

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Components of Children's Therapeutic Services and Supports

Persons providing children's therapeutic services and supports must be capable of providing the following components:

- A. psychotherapy: individual, family, and group. Family psychotherapy services must be directed exclusively to the treatment of the child. Psychotherapy services require prior authorization as specified in the State Register;
- B. individual, family, or group skills training provided by a mental health professional or a mental health practitioner with a consulting relationship with a mental health professional who accepts full professional responsibility for the training. Skills training improves the basic functioning of the child and the child's family in the activities of daily and community living, and the social functioning of the child and the child's family in areas important to the child's maintaining or reestablishing residency in the community. The skills training must:
 - 1) consist of activities designed to promote skills development of the child and the child's family in the use of age-appropriate daily living skills, interpersonal and family relationships, and leisure and recreational services;
 - 2) consist of activities that assist the family's understanding of normal child development and parenting skills to help the child achieve the goals in the child's individual treatment plan; and
 - 3) promote family preservation and unification, promote the family's integration with the community, and reduce the use of unnecessary out-of-home placement or institutionalization of the child.

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C. crisis assistance. Crisis assistance services focus on crisis identification and prevention and is designed to address abrupt or substantial changes in the functioning of the child or the child's family as evidenced by a sudden change in behavior with negative consequences for well being, a loss of coping mechanisms, or the presentation of danger to self or others. The services help the child, the child's family and all providers of services to the child to:

- 1) recognize factors precipitating a mental health crisis;
- 2) identify behaviors related to the crisis; and
- 3) be informed of available resources to resolve the crisis.

Crisis assistance services must be coordinated with emergency services. Emergency services must be available 24 hours per day, seven days a week;

D. medically necessary mental health services provided by a mental health behavioral aide designed to improve the functioning of the child and support the family in activities of daily and community living. These services implement the rehabilitative mental health services identified in the recipient's individual treatment plan or individual behavior plan that allow the child to replace inappropriate skills with developmentally and therapeutically appropriate daily living skills through targeted activities. These skills may include:

- 1) assisting the child as needed with skills development in dressing, eating, and toileting;
- 2) assisting, monitoring, and guiding the child to complete tasks, including facilitating the child's participation in medical appointments;
- 3) observing and intervening to redirect the child's inappropriate behavior;

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- 4) assisting the child to use age appropriate self-management skills as related to the child's emotional disturbance or mental illness, including problem solving, decision making, communication, conflict resolution, anger management, social skills, and recreational skills;
- 5) implementing de-escalation techniques as recommended by the mental health professional;
- 6) implementing other mental health services that the mental health professional approves as being within the scope of the behavioral aide's duties; and
- 7) when directed exclusively to the treatment of the child, assisting the parents to develop and use skills that help the child achieve the goals outlines in the child's individual treatment plan or individual behavioral plan; and

E. direction of a mental health behavioral aide by a mental health professional or a mental health practitioner under the clinical supervision of a mental health professional. Direction is based on the child's individualized treatment plan and means:

- 1) one total hour of on-site observation by a mental health professional during the first 12 hours of service;
- 2) ongoing, on-site observation by a mental health professional or mental health practitioner for at least one hour during every 40 hours of service; and
- 3) immediate accessibility of the mental health professional or mental health practitioner to the mental health behavioral aide when the services are provided.

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Components A-F, above, may be combined to constitute the following two therapeutic programs:

- A. A day treatment program, provided by a multidisciplinary staff under the clinical supervision of a mental health professional, consists of group psychotherapy for more than three recipients and other intensive therapeutic services. It is provided by an outpatient hospital accredited by the Joint Commission on the Accreditation of Healthcare Organizations, a community mental health center, or a county contracted day treatment provider. Day treatment is provided at least one day a week for a minimum three-hour time block (of which one hour, but no more than two hours, is individual or group psychotherapy).
- B. A preschool program provided by a multidisciplinary team in a licensed day program for children who are at least 33 months' old but not yet attending kindergarten. A preschool program is provided at least one day a week for a minimum two-hour time block.

The services specified in items A through E below are not eligible for Medical Assistance payment:

- A. Service components of children's therapeutic services and supports simultaneously provided by more than one provider entity unless prior authorization is obtained.
- B. Children's therapeutic services and supports not provided by Minnesota's Medicaid Program.
- C. Mental health behavioral aide services provided by a personal care assistant who is not qualified as a mental health behavioral aide and employed by a certified children's therapeutic services and supports provider.
- D. Services that are the responsibility of a residential or program license holder, including foster care providers.

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E. More than 15 hours of children's therapeutic services and supports provided within a six-month period to a child with severe emotional disturbance who is residing in a hospital, a group home, a residential treatment facility, or other institutional group setting or who is participating in a partial hospitalization program, if part of a discharge plan.

2. Crisis response services for children are services recommended by a physician, mental health professional as defined for **children's therapeutic services and supports** or a mental health practitioner as defined for **children's therapeutic services and supports**. For the purposes of item 4.b., a child eligible for crisis response services means a child under age 21 who:

- A. is screened as possibly experiencing a mental health crisis where a crisis assessment is needed;
- B. is assessed as experiencing a mental health crisis and mobile crisis intervention or crisis stabilization services are necessary; and
- C. meets the criteria for emotional disturbance if under age 18 or, if between ages 18 and 21, mental illness.

The following are eligible to provide crisis response services:

- A. An entity operated by a county.
- B. An entity under contract with a county.
- C. A facility of the Indian Health Service or a facility owned or operated by a tribe or tribal organization and funded by either Title I of the Indian Self-Determination and Education Assistance act, P.L. 93-638, as amended, or Title V of the Indian Self-Determination and Education Assistance Act, P.L. 106-260, operating as a 638 facility.

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Components of Crisis Response Services

Persons providing crisis response services must be capable of providing the following components:

- A. Crisis assessment. Crisis assessment is an immediate face-to-face assessment by a physician, mental health professional or mental health practitioner under the clinical supervision of a mental health professional, following a screening that suggests the child may be experiencing a mental health crisis or mental health emergency.

The crisis assessment is an evaluation of any immediate needs for which emergency services are necessary and, as time permits, the recipient's life situation, sources of stress, mental health problems and symptoms, strengths, cultural considerations, support network, vulnerabilities, and current functioning. Crisis assessment services must be available 24 hours a day, seven days a week.

- B. Crisis intervention. Crisis intervention is a face-to-face, short-term intensive mental health services provided during a mental health crisis or mental health emergency to help a recipient cope with immediate stressors, identify and utilize available resources and strengths, and begin to return to the recipient's baseline level of functioning. Crisis intervention must be provided on-site by a mobile crisis intervention team outside of an emergency room, urgent care, or inpatient hospital setting. Crisis intervention must be available 24 hours a day, seven days a week.

- 1) Crisis intervention is provided after the crisis assessment.
- 2) Crisis intervention includes developing an initial, brief crisis treatment plan not later than 24 hours after the initial face-to-face intervention. The plan must address the needs and problems noted in the crisis assessment and include measurable short-term goals, cultural